

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ALEK SCHOTT

Plaintiff,

v.

JOEL BABB, in his individual and official capacity; MARTIN A. MOLINA III, in his individual and official capacity; JAVIER SALAZAR, in his individual and official capacity; and BEXAR COUNTY, TEXAS,

Defendants.

Civil Action No. 5:23-cv-00706-OLG-RBF

UNOPPOSED MOTION TO AMEND SCHEDULING ORDER

Plaintiff Alek Schott files this unopposed motion to amend the scheduling order a second time as set forth below. On January 12, 2024, this Court entered an amended scheduling order in this case. Dkt. No. 38. Good cause exists for this Court to amend the scheduling order a second time. Discovery, which is currently set to close on September 23, 2024, is still ongoing. On April 5, 2024, this Court heard Alek's motion to compel and indicated it was granting Alek's motion to compel. As requested by the Court, Alek submitted a proposed order on that motion.

Alek proposes to extend the current deadlines. Among other things, a second amended scheduling order will provide more time for discovery, thereby enabling a better presentation on the merits. Alek's counsel conferred with Defendants' counsel, who does not oppose this motion.

<u>Event/Item (Dkt. No. 29)</u>	<u>Current Deadline</u>	<u>Proposed Amended Deadline</u> (bold indicates change)
Amend or supplement pleadings or add parties (¶ 2)	April 18, 2024	June 18, 2024
Expert Witness Disclosure (Plaintiff) (¶ 3)	June 20, 2024	August 22, 2024
Mediation (¶ 7)	July 2, 2024	None The parties are set for mediation in April 2024.
Expert Witness Disclosure (Defendants) (¶ 3)	August 1, 2024	October 1, 2024
Expert Witness Disclosure (Rebuttal) (¶ 3)	Within 14 days of receipt of the report of the opposing expert	Within 14 days of receipt of the report of the opposing expert
Objections to Proposed Expert Testimony (¶ 4)	Within 14 days of receipt of the written report of the expert's proposed testimony, or within 14 days of the expert's deposition, if a deposition is taken, whichever is later.	Within 14 days of receipt of the written report of the expert's proposed testimony, or within 14 days of the expert's deposition, if a deposition is taken, whichever is later.
Close of Discovery (¶ 5)	September 23, 2024	November 22, 2024
Dispositive Motions (¶ 6)	October 21, 2024	January 16, 2025
Trial (¶ 8)	To be determined at a later date by the Court	To be determined at a later date by the Court

For the reasons above, Alek respectfully requests that the Court amend the case schedule as proposed above and as set forth in the accompanying [Proposed] Second Amended Scheduling Order.

Dated: April 12, 2024

Respectfully submitted,

/s/ Christen M. Hebert

Christen M. Hebert

(TX Bar No. 24099898)

INSTITUTE FOR JUSTICE

816 Congress Avenue, Suite 960

Phone: (512) 480-5936

Fax: (512) 480-5937

chebert@ij.org

Joshua A. Windham*

(NC Bar No. 51071)

Daniel Z. Nelson*

(VA Bar No. 96173)

William Aronin*

(NY State Bar No. 4820031)

INSTITUTE FOR JUSTICE

901 N. Glebe Road, Suite 900

Arlington, VA 22203

Phone: (703) 682-9320

Fax: (703) 682-9321

jwindham@ij.org

dnelson@ij.org

Attorneys for Plaintiff

**Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2024, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which provided electronic service upon all attorneys of record.

/s/ Christen Mason Hebert
Christen Mason Hebert

Attorney for Plaintiff